

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

UNITED STATES OF AMERICA §
§
VS. § MAGISTRATE ACTION NO. C-08-611
§
JOSE LUIS CASTILLO §

MEMORANDUM OPINION AND ORDER OF DETENTION PENDING TRIAL

A detention hearing has been held in accordance with the Bail Reform Act, 18 U.S.C. § 3142(f). The following requires detention of the defendant pending trial in this case:

- (1) There is a serious risk that the defendant will not appear for court as required; and
- (2) There is a serious risk that the defendant will endanger the safety of another person or the community.

The evidence against the defendant is substantial. The defendant was to be paid to transport an undocumented alien to Houston. The findings and conclusions contained in the Pretrial Services Report are adopted, supplemented by the testimony of the defendant's brother. The defendant was previously convicted of smuggling aliens. While on supervised release, he failed to comply with the provisions of his release, which was revoked. The defendant is an illegal drug user, and he was caught smuggling aliens in May of this year but not prosecuted. The defendant is a poor bond risk.

The defendant is committed to the custody of the Attorney General or his designated representative for confinement in a corrections facility separate, to the extent

practicable, from persons awaiting or serving sentences or being held in custody pending appeal. The defendant shall be afforded a reasonable opportunity for private consultation with defense counsel. On order of a court of the United States or on request of an attorney for the Government, the person in charge of the corrections facility shall deliver the defendant to the United States marshal for the purpose of an appearance in connection with a court proceeding.

ORDERED this 15th day of August, 2008.



B. JANICE ELLINGTON
UNITED STATES MAGISTRATE JUDGE